


The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.




Russ Kendig
United States Bankruptcy Judge

Dated: 11:17 PM June 5, 2013

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE:)	CHAPTER 7
)	
MARTIN L. MYERS,)	CASE NO. 11-61426
)	
Debtor.)	ADV. NO. 13-6065
)	
ANTHONY J. DEGIROLAMO,)	JUDGE RUSS KENDIG
)	
Plaintiff,)	
)	
v.)	
)	MEMORANDUM OF OPINION
DEVONSHIRE FUND, LLC, et al.,)	(NOT FOR PUBLICATION)
)	
Defendants.)	

The chapter 7 trustee commenced this adversary proceeding on April 28, 2013. On May 30, 2013, one of the defendants, Philip A. Cargnino, filed a motion to extend his time to file an answer to the complaint. The motion was submitted on Mr. Cargnino's behalf by his attorney-in-fact, Susann Cargnino.

The court has jurisdiction of this case under 28 U.S.C. § 1334 and the general order of reference entered in this district on April 4, 2012. In accordance with 28 U.S.C. § 1409, venue in this district and division is proper. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(E, (F) and (H).

This opinion is not intended for publication or citation. The availability of this opinion, in electronic or printed form, is not the result of a direct submission by the court.

Before considering the merits of the motion to extend, the court must determine whether Ms. Cargnino has the authority to file the motion on Mr. Cargnino's behalf. If she is permitted to do so, he will be appearing pro se through her. The court finds this amounts to the unauthorized practice of law which cannot be condoned. The court finds no need to expound on the law or analysis provided by the Honorable Arthur I. Harris in In re O'Connor, 2009 WL 1616105 (Bankr. N.D. Ohio 2009). Ms. Cargnino cannot represent Mr. Cargnino in this proceeding.

The court will sua sponte provide Mr. Cargnino time to file a pleading pro se, in its strict sense, or to find counsel to represent him.

A separate order will be issued immediately.

#

Service List:

Chrysanthé E Vassiles
Gordon D. Woolbert
Black McCuskey Souers and Arbaugh
220 Market Ave., South, Suite 1000
Canton, OH 44702

Douglas A Dymarkowski
5431 Main Street
Sylvania, OH 43560

Richard K Stovall
Allen Kuehnle Stovall & Neuman LLP
17 South High Street, Suite 1220
Columbus, OH 43215

Susan L Rhiel
394 E Town St
Columbus, OH 43215

Philip A. Cargnino
Susann Cargnino
7855 Brint Rd.
Sylvania, OH 43560